

SEP 07 2007

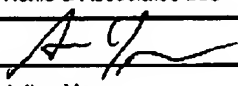
PTO/SB/21 (04-07)

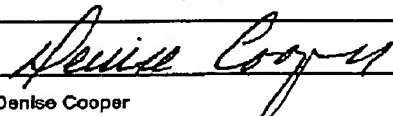
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/643,827
	Filing Date	August 19, 2003
	First Named Inventor	Sundelin, J.
	Art Unit	1635
	Examiner Name	Guzo, David
	Attorney Docket Number	BI-06-ND6-CCC
Total Number of Pages in This Submission		9

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks Supplement To Petition To Withdraw Holding Of Abandonment Under 37 CFR 1.181 (8 pages)	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Name	Hoxie & Associates LLC
Signature	
Printed name	Arthur Yang
Date	7 Sept 2007
Reg. No.	45,721

CERTIFICATE OF TRANSMISSION/MAILING	
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Signature	
Typed or printed name	Denise Cooper
Date	Sept. 7, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Applicant:	Sundelin, J. et al.)	Examiner: Guzo, David
)	
Serial No.:	10/643,627)	Group Art Unit: 1636
)	
)	Confirmation Number 4455
)	
Filed:	August 19, 2003)	Attorney Docket: BI-06-ND6-CCC
)	
Title:	RECOMBINANT C140)	
	RECEPTOR ITS AGONISTS AND)	
	ANTAGONISTS, AND NUCLEIC)	
	ACIDS ENCODING THE)	
	RECEPTOR)	

**SUPPLEMENT TO PETITION TO WITHDRAW HOLDING
OF ABANDONMENT UNDER 37 CFR 1.181**

Attn: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Supplemental to the Petition to Withdrawn Holding of Abandonment Under 37 CFR 1.181 filed on August 30, 2007, Applicants further respectfully request that the Notice of Abandonment mailed August 8, 2007 be withdrawn because the issue fee in the present application has already been paid.

Applicants have recently become aware that the issue and publication fees have already been paid in the present application. According to the Transaction History in the PAIR system, an issue fee payment for the present application was received on August 8, 2007 (copy attached as Exhibit C).¹ According to the records of the Office of Finance, the issue and publication fees

¹ It is unclear why the issue and publication fees are listed as being received on August 8, 2007, as Applicants had submitted the issue and publication fees on July 11, 2007 (see Exhibit A filed in the August 30, 2007 Petition to Withdraw Holding of Abandonment).

Application of Sundelin, J., et al
Application No.: 10/643,627

Attorney Docket No.: BI-06-ND6-CCC

were debited from deposit account 50-4255 on August 10, 2007 (redacted Office of Finance record sheet attached as Exhibit D).

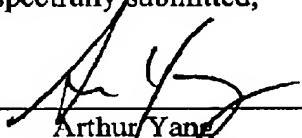
The present application was abandoned for failure to timely pay the issue and publication fees as the submitted fee of \$0 was insufficient. However, in view of the recently discovered information, and for the facts presented in the August 30, 2007 petition, the issue and publication fees have clearly been paid.

It is believed no fees are required in the filing of the present supplemental information pertaining to a petition under 37 CFR 1.181. If any fees are required, please charge the same to Deposit Account 50-4255.

Dated: 7 Sept 2007

Respectfully submitted,

By


Arthur Yang
Reg. No. 45,721
HOXIE & ASSOCIATES LLP
75 Main Street
Suite 301
Millburn, NJ 07041
(973) 912-5232

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EXHIBIT C



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10/643,627

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ANTAGONISTS, AND NUCLEIC ACCEPTOR

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Select New Status	Application Data	Transaction History	Images Filed	Patent Term Adjustments	Gen. In.
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Transaction History

Date	Transaction Description
08-30-2007	Petition Entered
* 08-08-2007	Issue Fee Payment Received
08-08-2007	Mail Abandonment for Failure to Pay Issue Fee
08-08-2007	Abandonment for Failure to Pay Issue Fee
08-07-2007	Withdrawal Patent Case from Issue
07-25-2007	Issue Notification Mailed
08-14-2007	Patent Issue Date Used In PTA Calculation
07-13-2007	Dispatch to FDC
07-13-2007	Application Is Considered Ready for Issue
07-11-2007	Issue Fee Payment Verified
05-04-2007	Sequence Forwarded to Pubs on Tape
04-11-2007	Mail Notice of Allowance
04-11-2007	Mail Examiner's Amendment
04-03-2007	Examiner's Amendment Communication
04-03-2007	Notice of Allowance Data Verification Completed
04-03-2007	Case Docketed to Examiner in GAU
03-13-2007	Date Forwarded to Examiner
02-28-2007	Amendment after Final Rejection
12-28-2006	Mail Final Rejection (PTOL - 326)
12-26-2006	Final Rejection
10-17-2006	Date Forwarded to Examiner
10-04-2006	Response after Non-Final Action
10-04-2006	Request for Extension of Time - Granted
06-02-2006	Mail Non-Final Rejection
05-30-2006	Non-Final Rejection
04-19-2006	Date Forwarded to Examiner
04-19-2006	Date Forwarded to Examiner
04-11-2006	Request for Continued Examination (RCE)
04-19-2006	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
04-11-2006	Workflow - Request for RCE - Begin
04-07-2006	Mail Advisory Action (PTOL - 303)
04-03-2006	Advisory Action (PTOL-303)
03-21-2006	Date Forwarded to Examiner
03-13-2006	Amendment after Final Rejection
03-21-2006	CRF Is Good Technically / Entered Into Database
01-11-2006	Mail Final Rejection (PTOL - 326)
01-09-2006	Final Rejection
12-08-2005	Correspondence Address Change
12-08-2005	Change In Power of Attorney (May Include Associate POA)
11-02-2005	CRF Is Flawed Technically / Not Entered Into Database

11-01-2005 Date Forwarded to Examiner
10-24-2005 Response to a Letter to Comply with the Sequence Rules
09-22-2005 Mail Letter Requiring CRF (Unreadable, Non-Compliant, Not Submitted)
09-19-2005 CRF Diskette Unreadable / Did Not Comply / Required but Not Submitted
07-13-2005 Date Forwarded to Examiner
06-30-2005 Response after Non-Final Action
04-06-2005 Mail Non-Final Rejection
04-01-2005 Non-Final Rejection
03-04-2005 Date Forwarded to Examiner
02-25-2005 Response to Election / Restriction Filed
01-31-2005 Mail Notice of Informal or Non-Responsive Amendment
01-28-2005 Date Forwarded to Examiner
01-18-2005 Informal or Non-Responsive Amendment after Examiner Action
01-18-2005 Response to Election / Restriction Filed
01-18-2005 Request for Extension of Time - Granted
01-18-2005 Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received
11-18-2004 Mail Restriction Requirement
11-15-2004 Requirement for Restriction / Election
06-24-2004 IFW TSS Processing by Tech Center Complete
03-19-2004 Preliminary Amendment
06-23-2004 Case Docketed to Examiner in GAU
04-05-2004 Miscellaneous Incoming Letter
04-05-2004 Application Return from OIPE
04-06-2004 Application Is Now Complete
04-05-2004 Application Return TO OIPE
04-05-2004 Application Return from OIPE
04-06-2004 Application Is Now Complete
04-05-2004 Application Return TO OIPE
04-05-2004 Application Dispatched from OIPE
04-05-2004 Application Is Now Complete
03-19-2004 Additional Application Filing Fees
08-19-2003 Claim Preliminary Amendment
03-19-2004 Omitted Drawings. Applicant has Petitioned that the Filing Date not be changed and the Petition has
01-22-2004 CRF Is Good Technically / Entered into Database
08-19-2003 CRF Disk Has Been Received by Preexam / Group / PCT
11-12-2003 Cleared by L&R (LARS)
11-04-2003 Referred to Level 2 (LARS) by OIPE CSR
09-19-2003 IFW Scan & PACR Auto Security Review
08-19-2003 Initial Exam Team nn

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Deposit Account Statement

Requested Statement Month: August 2007
Deposit Account Number: 504255
Name: HOXIE & ASSOCIATES LLC
Attention: THOMAS HOXIE
Street Address 1: 75 MAIN STREET, SUITE 301
Street Address 2:
City: MILLBURN
State: NJ
Zip: 07041
Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
08/01	189			1631	\$300.00	
08/01	190			1633	\$200.00	
08/01	191			1642	\$400.00	
08/01	192			1681	\$250.00	
08/07	9200			8021	\$40.00	
08/07	9201			8021	\$40.00	
08/07	9202			8021	\$40.00	
08/07	9203			8021	\$40.00	
08/07	9204			8021	\$40.00	
08/07	9205			8021	\$40.00	
★ 08/10	1	10643627	MPI93- 006CP1DV1ACN1DV1M	1501	\$1,400.00	
★ 08/10	2	10643627	MPI93- 006CP1DV1ACN1DV1M	1504	\$300.00	
08/15	170			1806	\$180.00	
08/15	12871			9203		
08/21	1			1453	\$1,500.00	
08/22	3			1202	\$150.00	
08/22	4			1806	\$180.00	
		START	SUM OF	SUM OF	END	

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